

MISSIONARY SOCIETY OF THE METHODIST EPISCOPAL
CHURCH.

[To accompany Bill H. R. No. 374.]

MARCH 19, 1860.

Mr. PENDLETON, from the Committee on Military Affairs, made the following

REPORT.

The Committee on Military Affairs, to whom were referred the communication of the Secretary of War, and the accompanying papers, inviting the attention of Congress to the claim of the Missionary Society of the Methodist Episcopal Church for land at the Dalles, in Oregon Territory, taken for military purposes, submit the following report:

The Committee on Military Affairs of the House of Representatives of the last Congress, after a careful examination of the facts presented in this communication, submitted a report, (a copy of which is hereto annexed,) and a bill for the relief of said society.

This committee are satisfied with the conclusions of that report, and adopt it, and recommend the passage of the bill herewith presented.

IN THE HOUSE OF REPRESENTATIVES, January 28, 1859.

Mr. PENDLETON, from the Committee on Military Affairs, made the following report:

The Committee on Military Affairs, to whom were referred the communication of the Secretary of War, and accompanying papers, inviting the attention of Congress to the claim of the Missionary Society of the Methodist Episcopal Church for land at the Dalles, in Oregon Territory, taken for military purposes, submit the following report:

The claim of the said society is for compensation for certain land in Oregon Territory, taken by the government for a military post, which the society asserts that it held under the second proviso of the first section of the act to establish the territorial government of Oregon, passed August 14, 1848. The law provides "that the title to the

land, not exceeding six hundred and forty acres, *now occupied* as missionary stations among the Indian tribes, together with the improvements thereon, be confirmed and established in the several religious societies to which said missionary stations respectively belong."

The committee have examined with great care the voluminous papers accompanying the communication of the Secretary of War, and find that the following facts are satisfactorily established:

The Missionary Society of the Methodist Episcopal Church commenced its operations in the west many years since, and prior to the year 1840 had established a flourishing and important station at the Dalles, on the Columbia river. The necessary buildings had been erected, a farm had been opened up and cultivated, and the objects of the enterprise had been prosecuted with zeal and effect. Many thousands of dollars, at least thirty thousand, were expended in locating, organizing, and supporting the station. In the month of September, 1847, while the mission was in full operation, an arrangement was entered into between the Missionary Society of the Methodist Episcopal Church and the American Board of Foreign Missions, by which it was agreed that the American Board should establish and sustain at the Dalles an effective mission so long as the Territory should remain Indian country, and should pay for certain personal property, valued at \$600; and upon this express condition: the said Board should have the use and occupation of the station, and hold the same in trust for the Methodist Society. The American Board entered upon the possession of the land by its agent, Dr. Whitman, and gave a draft for the amount agreed on, as the value of the personal property, in the same month of September.

In December of that year Dr. Whitman was murdered by the Indians, and all the whites, not only from this but from other stations, were compelled to seek the settlements on the coast. The depredations of the Indians continued, and in June, 1848, the Indian agent warned the missionaries of the danger of remaining in the country. A body of troops were posted at the Dalles, and held actual control of all the surrounding country during the summer and fall of 1848.

In June or July of this last-mentioned year the friends of the American board, their principal agent having been killed, the personal property having been destroyed, and the difficulties of keeping up the mission having greatly increased, proposed a surrender to the Methodist society of the possession of the property and of the draft which had not been yet paid, and a rescission of the contract on either side, to which the Methodist society, after some hesitation, consented. The rescission was effected in fact and form on the 13th day of March, 1849.

The troops continued in possession of the station during a large portion of the fall of 1848, and returned in the spring of 1849. The houses were found deserted but in comparatively good order. The Indian hostilities were continued, and the orders and warnings of the Indian agent still cautioned the whites against exposure on the frontiers.

In May, 1850, Major Tucker, with two companies of riflemen, took

possession of the station, located a military fort there, and destroyed the houses, store, and barn belonging to the mission; and in the same year a military reserve of ten miles square, embracing the land in question, was established by order of the President.

In May, 1851, two missionaries and agents of the Methodist society returned to the Dalles for the purpose of resuming possession of the land and re-establishing their missionary work. They were, however, prevented by Major Hathaway, then in command. The government has held military occupancy of the land ever since that time. In 1854 an order issued from the War Department to the general commanding the department of the Pacific, to reduce the military reserve to an area not exceeding six hundred and forty acres, and to have it laid off in such a manner as in the least degree to interfere with private rights, and in pursuance of this order the post has been permanently located and established, and three hundred and fifty-three and a fraction acres of the land originally held by the Methodist society have been embraced within its limits.

The committee have no doubt, from the evidence adduced, that the Missionary Society of the Methodist Episcopal Church was in possession of this land on the 14th August, 1848, within the meaning of the act passed on that day, and that the title was thereby "confirmed and established." As soon as the danger of Indian hostilities admitted, the society endeavored to reoccupy their buildings and land, but the troops had ere then taken possession and permanently located their military establishment. There is no room to suppose that there was any abandonment of the premises.

Under these circumstances the committee believe that the claimants have a just case for relief, and that they are entitled to the full value of the land in 1850, when the military occupation became permanent. Since then a town has sprung up in the vicinity, the land has become very valuable, but its value now is no just test of its market value then. The advantages for a town site and the prospect of the growth of a city there was a fair element of value then, but the full development of these prospects and the consequently enhanced value since the land came into possession of the government is not the measure of our obligation.

The demand of the society is for twenty thousand dollars. The military officer in command at the Dalles in 1854 and 1855, the delegate in Congress from Oregon, and other intelligent gentlemen well acquainted with the premises, coincide in the opinion that this demand is not unreasonable, and the committee have arrived at the same conclusion. This same society has filed a claim for the destruction of the houses and certain personal property, amounting to upwards of four thousand dollars. Your committee believe that the sum above named would suffice to cover all the injury sustained by the claimants, and would therefore recommend that the payment of said sum be upon the condition that a release be filed in the proper department, approved by the Attorney General, of all claim to the said land and to damage occasioned by the destruction of the property aforesaid. The committee have been made acquainted, in the course of this investigation, with the claims of Perrin B. Whitman and the Catholic missionary society.

The first seems to be entirely unsupported by affirmative proof, and to be disproved by the evidence adduced by the claimants in support of their claim. The second, as to the validity of which the committee can, from the evidence, give no opinion, seems to relate to other lands within the military reserve, but not within the claim of the Methodist society.

The committee report a bill for the relief of the claimants, and recommend that it do pass.